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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/977,900	
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	First Named Inventor	Bruce W. Stavens	
	Art Unit	2173	
	Examiner Name	M. Roswell	
Total Number of Pages in This Submission	18	Attorney Docket Number	80072

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31 October 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant: BRUCE W. STEVENS

Serial No.: 09/977,900

Filed: 10 OCTOBER 2001

For: PRESENTATION PROGRAM AND METHOD

Group Art Unit: 2173

Examiner: M. ROSWELL

Customer No. 23523

APPEAL BRIEF ON BEHALF OF THE APPELLANT IN APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

To the Assistant Commissioner for Patents

Sir:

This is a brief on behalf of the Appellant in the above-identified application, now under appeal before the Board of Appeals.

REAL PARTY IN INTEREST

The United States of America as represented by the Secretary of the Navy.

RELATED APPEALS AND INTERFERENCES

None.

~~11/01/2006 BABRAHAT 00000074 140590- 09977900~~~~01 FC:1401 500.00 DA~~STATUS OF CLAIMS

Claims 21-34 are presently pending in the application.

Claims 21-34 are rejected. Claims 21-34 are presented for appeal and are attached as the Claims Appendix.

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STATUS OF AMENDMENTS

A Final Rejection was provided by the Examiner on 31 May 2006 finally rejecting claims 21-34. Appellant responded to this rejection on 31 August 2006. Appellant made no changes to the claims in this response. The Examiner found that the amendment of 31 August 2006 failed to place the application in condition for allowance.

SUMMARY OF CLAIMED SUBJECT MATTER

The invention for independent claim 21 is a method for making a coordinated presentation on a plurality of computers. The first step is installing a software control program on each of the computers. This is supported in the specification at page 7, lines 7-8; page 16, lines 1-11; and page 21, lines 18-21. The next step is installing at least two different sets of files to be played for the coordinated presentation on the computers. This is supported at page 21, lines 11-17. The third step is providing at least one scenario file on each of the computers. This is disclosed in the specification at page 18, line 16 through page 20, line 2. The invention also includes the step of synchronizing the computers to a common time. This is supported at page 15, lines 3-8. As a final step, the invention provides for playing each file according to the scenario file on the

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associated computer. This is supported in the specification at page 20, line 3 through page 21, line 10.

The invention for independent claim 31 is a coordinated presentation system. The system includes a plurality of computers. This is supported in the specification at page 14, line 11 through page 15, line 2. A set of presentation display files is also included as indicated in the specification at page 21, lines 11-17. The system also includes at least two different scenario files which are supported at page 18, line 16 through page 20, line 2 in the specification. A means for timing synchronization is provided for each of the computers as provided at page 15, lines 3-8. The system also includes a software control program for coordinating presentations. This is supported in the specification at page 14, line 11 through page 15, line 2.

GROUND'S OF REJECTION TO BE REVIEWED ON APPEAL

The following issues are presented for review in this appeal:

- I. Whether claims 21-34 on appeal are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (U.S. Patent No. 6,470,356) in combination with the other cited prior art.

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- II. Whether claims 21-34 on appeal are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang et al (U.S. Patent No. 6,766,355) in combination with the other cited prior art.

ARGUMENT

- I. Whether claims 21-34 on appeal are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Suzuki (U.S. Patent No. 6,470,356) in combination with the other cited prior art.

Appellant suggests that the Examiner has not made a prima facie case of obviousness because the prior art does not teach each and every element of Appellant's invention. Specifically, Suzuki does not show a scenario file as claimed by Appellant that is capable of "scheduling playing of different files on different ones of said plurality of computers in a coordinated manner" as claimed in Appellant's claim 21. Suzuki is also deficient in showing "at least two different scenario files with at least one scenario file loaded in the local storage of each computer which comprises timing information for each file of said at least one set of presentation display files, said computers having a different plurality of files having different corresponding scenario files" as claimed in independent claim 31.

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Suzuki shows "a reproduction scenario file describing a media time sequence and spatial layout for reproducing each medium of the presentation." Col. 3, line 50 through Col. 4, line 15. Suzuki also shows a marking file that includes portions given as a default and generated through the actions of the user on each computer. See Suzuki, Col. 4, line 65 through Col. 5, line 2. Default or general mark information can be prepared in advance to add emphasis to material that the author wants displayed. See Col. 5, lines 29-36. Suzuki further provides at Col. 5, lines 36-37, that "[t]ime can be saved by reproducing only a medium having the mark information." Suzuki also provides a description of use of the user marking file by a user at Col 5, lines 40-52, and addition of marking definition information at Col. 6, lines 28-49.

Appellant's invention teaches at least two different scenario files that are loaded on different computers to provide user with different coordinated presentation content. Appellant suggests that neither the Suzuki reproduction scenario file nor marking file can have the claimed function of Appellant's scenario file because Suzuki's files do not coordinate playing of different files on different computers in a coordinated manner. Two factors of similarity are missing. First, the Suzuki files are not coordinated among the networked computers. Each computer has a uniform scenario file and general marking file, thus removing any element of coordination. Second, the content taught

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by Suzuki is broadcast content, meaning that the same content is distributed to all of the workstations. Suzuki provides another method for showing the same content to all of the users, not a method for providing different coordinated content to a plurality of users.

It is the Examiner's burden to show that Appellants claimed invention. In view of the argument above, it is suggested that this burden has not been met. Appellant respectfully solicits reversal of the Examiner's rejection of claims 21-34 because the prior art fails to teach Appellant's step of providing at least one scenario file or Appellant's element of at least two scenario files.

II. Whether claims 21-34 on appeal are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang et al (U.S. Patent No. 6,766,355) in combination with the other cited prior art.

Appellant further suggests that claims 21-34 on appeal should be allowable because one of ordinary skill in the art would not be motivated to combine Liang et al with Bookspan, Suzuki, Mills and/or Hogle to give Appellant's invention. Specifically, Appellant respectfully suggests that one of ordinary skill in the art could not to combine Liang et al with any of the remaining prior art to give different coordinated

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displays on at least two of a plurality of computers because Liang teaches server control of presentation content. The Examiner stated that this combination would be motivated by "the advantage of secure data changing and updating in multi-user multimedia, such that only an authorized user may make a change."

Liang et al teach a method and apparatus for multi-user communication of multimedia content. A scene is divided into a shared part and a non-shared part. Liang et al. at Col. 6, lines 2-11 teach the provision of a network that provides streaming data which is interpreted on a client computer. This is further confirmed at Col. 7, lines 19-31, where Liang et al teach that a network provides the data to the client computer via a streaming data protocol. Upon receiving the data, it is decoded and decompressed, and then it is output and displayed. See Col. 7, lines 32-55.

Appellant in claim 21, however, claims a step of installing at least two sets of files on a plurality of computers. Appellant also specifically claims in claim 31 at least one set of presentation display files loaded in a local storage of each computer. Liang et al do not disclose any step that one could construe as "installing" because Liang et al do not teach permanent storage of the group of files. Appellant displays the files in accordance with the scenario file loaded in the computer.

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With central control such as taught by Liang et al, one of ordinary skill in the art would not apply many of the steps of Appellant's invention, and addition of these steps would be redundant. For example, Liang et al do not provide a scenario file on each client computer because scenario file type commands are coordinated by the server. Provision of this type of file to the client computer would be redundant. Security does not provide sufficient motivation because installation of such a file on a client computer is inherently less secure than central control.

Appellant teaches a method for providing coordinated content on multiple computers with each computer being capable of displaying different content. Use of a client controlled system allows less reliance on networking and bandwidth to provide a robust display of the content. None of the prior art teaches nor makes such a system obvious because of the differing goals of the prior art systems.

When the Examiner relies on obviousness to combine prior art references, there must be a proper motivation to combine the references. In re Rouffett, 149 F.3d 1350, 47 USPQ2d 1453, 1457 (Fed. Cir. 1998). Neither Appellant, the prior art, nor one of ordinary skill in the art would have this motivation to combine. Appellant respectfully requests reconsideration of the Examiner's rejection of claims 21-34 on these grounds. Allowance of such claims is also solicited.

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CONCLUSION


Appellant respectfully submits that the Examiner's reliance on Suzuki for rejecting claims 21-34 is in error. Appellant further submits that the Examiner erred by rejecting claim 21-34 in view of Liang et al. In view of these errors, Appellant respectfully requests a reversal of the Examiner's Final Office Action and allowance of the pending claims.

Appellant hereby waives oral hearing.

Respectfully submitted,
BRUCE W. STEVENS

31 October 2006

BY


JAMES M. KASISCHKE
Attorney of Record
Reg. No. 36562

Encl:
CLAIMS APPENDIX
EVIDENCE APPENDIX
RELATED PROCEEDINGS APPENDIX

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CLAIMS APPENDIX

21. A method for making a coordinated presentation for display on a plurality of computers utilizing a software control program, said method comprising:

installing the software control computer program on each of said plurality of computers;

installing at least two different sets of files to be played for said coordinated presentation on each of said plurality of computers, different sets of files being installed on at least two of the plurality of computers;

providing at least one scenario file on each of said plurality of computers, said at least one scenario file associating a playing time for a file of said at least one set of files on each of said plurality of computers such that an effective beginning time is associated with each file, said scenario file scheduling playing of different files on different ones of said plurality of computers in a coordinated manner;

synchronizing each computer to a common time; and

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playing each file in each corresponding at least two sets of files for each of said plurality of computers according to the scenario file on that computer and the synchronized time as coordinated by the software control program to result in a coordinated presentation of files on each computer of said plurality of computers.

22. The method of claim 21 wherein said at least two sets of files includes graphic files.

23. The method of claim 22 wherein said set of files includes sound files.

24. The method of claim 21 wherein said set of files includes executable files.

25. The method of claim 21 wherein said scenario file includes a play duration associated with each file.

26. The method of claim 25 wherein said effective beginning time and play duration time are determined on the basis of a beginning time and an ending time.

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27. The method of claim 25 wherein said effective beginning time and play duration time are determined based on previous play duration times.

28. The method of claim 21 wherein:

at least one of the plurality of computers has at least two display devices associated therewith; and

said provided scenario file associated with the at least one computer having at least two display devices associates an effective beginning time for a file of said at least two sets of files with a particular display device.

29. The method of claim 28 wherein said computer having at least two display devices has a display raster area associated with each display device which is a part of a composite raster area for all display devices, and said scenario file associating an effective beginning time for a file with a particular display device by setting coordinates within said composite raster area for said coordinated presentation.

30. The method of claim 21 further comprising the step of selecting one of said provided at least one scenario files when more than one scenario file is provided wherein said step of

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playing each file comprises playing the file in accordance with the selected scenario file.

31. A coordinated presentation system comprising:

a plurality of computers, each of said computers comprising an associated at least one presentation display and a local storage;

at least one set of presentation display files having a plurality of files loaded in a local storage of each computer, at least two of said computers having a different plurality of files;

at least two different scenario files with at least one scenario file loaded in the local storage of each computer which comprises timing information for each file of said at least one set of presentation display files, said computers having a different plurality of files having different corresponding scenario files;

a means for timing synchronization joined to each of the plurality of computers for synchronizing said plurality of computers to a common time;

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a software control program loaded in the local memory of each of the plurality of computers, said software control program containing instructions for working with the computer to read said scenario file from the local memory and interface with said timing synchronization means to display the file of the set of files on the presentation display in accordance with the timing information in the scenario file and the synchronized common time.

32. The system of claim 31 wherein:

said at least one of said plurality of computers further comprises more than one presentation display;

said at least one scenario file further having information indicating which of said more than one presentation displays for each file whereby multiple files can be shown on multiple presentation displays associated with one of said plurality of computers.

33. The system of claim 32 wherein said computer has at least two presentation displays and has a display raster area associated with each presentation display which is a part of a composite raster area for all display devices, and said scenario

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file associates an effective beginning time for a file with a particular presentation display by setting coordinates within said composite raster area for said coordinated presentation.

34. The method of claim 21 wherein said step of playing occurs after said steps of installing the software control computer program, installing at least different sets of files to be played, and providing at least one scenario file.

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EVIDENCE APPENDIX

None.

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RELATED PROCEEDINGS APPENDIX

None.